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Statement submitted by Association nationale de promotion et de protection des droits de l'homme, a non-governmental organization in consultative status with the Economic and Social Council*

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Ec nomic and Social Council resolution 1996/31.

* The present statement is issued without formal editing.

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Statement

"Education is the most powerful weapon which you can use to change the world". This famous saying from former South African President Nelson Mandela encapsulates the cardinal importance of education to every human society. It is a fundamental right enshrined both in international and in national legal instruments. The Universal Declaration of Human Rights of 10 December 1948, the International Covenant on Economic, Social and Cultural Rights of 16 December 1966, the International Convention on the Rights of the Child of 20 November 1989, the African Charter on Human and Peoples' Rights of 27 June 1981 and the African Charter on the Rights and Welfare of the Child of 29 November 1999 each in its own way addresses the right to education. At the national level, the preamble to Act No. 96/06 of 18 January 1996 amending the Constitution of 2 June 1972 clearly states that "the State shall guarantee the child's right to education. Primary education shall be compulsory. The organization and supervision of education at all levels shall be the bounden duty of the State". This Act is reinforced by the provisions of Act No. 98/004 of 4 April 1998 on the educational system in Cameroon, which introduced free primary education. A national legal framework governing the right to education therefore exists in Cameroon. Government intervention is necessary to ensure the full flourishing of this right.

At the same time, however, Cameroon comprises two entities that were formerly federated States: a French-speaking part that follows Romano-Germanic (civil law) tradition and an English-speaking part that follows Anglo-Saxon (common law) tradition. Since late 2016, the English-speaking part of the country has been confronted by all kinds of demands, resulting in a general climate of insecurity in the area. This period of internal unrest hinders the realization of the right to education in this area of the country and as a result, children's schooling has been impacted.

It is important that we address threats and challenges to the right to education and proposals made by the National Association for the Promotion and Protection of Human Rights (ANAFRODH).

I. Threats to the right to education

The security situation in the English-speaking area is of concern when it comes to children's rights and, hence, the right to education. Constant tensions in the area have meant that many children have been unable to attend class for the past three academic years as well as the current academic year, which had seemed off to a promising start in September. The "ghost town" operation imposed on the inhabitants of the English-speaking area has forced students to abandon their classes, and students attempting to defy the order have been subjected to physical violence. Similarly, school principals who persisted in keeping their schools open have seen them vandalized or set ablaze, which was the case with the Government Bilingual High School in Kumbo. Numerous Government attempts have been unsuccessful in bringing about the return of students and a resumption of classes in the various schools in the area. While it is true that the General Certificate of Education (GCE) Board, the body responsible for administering official examinations in the English-speaking area, was able to hold those examinations, registration and pass rates were low. Parents have faced intimidation and students have been terrorized, harassed and threatened with death and all manner of abuse simply for asserting their legitimate right to education. One of those students, Angere Chantal Chatelle Ntamulum, a student at the Government Bilingual High School of Ntamulum (Bamenda) for the 2016-2017 academic year, was preparing to sit the 2017 GCE Advanced Level (A Level) examination scheduled for 12-23 June 2017 but fell victim to a savage attack

by two assailants armed with machetes. Thérèse Mbakop, a 19-year-old secondary school science student at Nguéa Lotin Limbé College, suffered a cervical spine fracture after falling from the second floor of her school while trying to escape her assailants during an attack on school grounds by young vandals armed with clubs.

II. Challenges and recommendations

A wise observer once said, "open schools and you will close prisons". That is both a lesson and a challenge for every society. Now in its third year, the persistence of unrest in the English-speaking area of Cameroon, despite Government efforts to bring about a rapid solution to the problem and thus establish peace, security and public order, is particularly worrying. The secessionists' demands include:

- the establishment of a federal State, or, failing that, acceptance of secession;
- full translation into English of the Uniform Acts of the Organization for the Harmonization of Business Law in Africa and the hiring of English-speaking staff in English-speaking jurisdictions;
- application of common law, the Anglo-Saxon legal system based on case law;
- the establishment of a special department of common law at the Supreme Court to hear appeals from jurisdictions in the north- and south-west regions;
- the establishment of a department of common law at the National School of Administration and Magistracy (ENAM); and
- translation into English of legislation enacted by the National Assembly and the regulations of the Central African Economic and Monetary Community (CEMAC).

The Government has demonstrated its good faith by responding to some of these demands. However, it is undeniable that, at present, many schools remain closed.

The city of Douala, which is host to many of these students, does not have enough classrooms for all of them. The challenge lies in the discrepancy between the two educational systems, English and French. The abrupt change in environment, with all its uncertainties, causes psychological difficulties that exacerbate the trauma caused by violence.

How can classrooms be found? How can one explain and convince others of a child's overriding right to education? How can school infrastructure be protected in times of crisis such as war?

Firstly, the obligations of the Government and development partners should be specified with regard to predicting, preventing, mitigating and managing the impact of adverse events on children's right to education, with particular attention to acknowledging and reducing their vulnerability during natural and man-made disasters. Next, coordination with humanitarian workers during natural and man-made disasters should be developed in order to identify needs, prepare for disasters and manage relief operations. The purpose there is to build resilience in a manner that promotes children's rights. Finally, specific activities should be identified that will ensure that preparedness, emergency response and long-term development efforts contribute to building resilience and promoting children's rights.

In other words, the actors involved (States and humanitarian agencies) must direct their joint efforts more towards the prevention/prediction end of the process rather than rehabilitation by emphasizing the best interests of the child, of which the right to education is a component. Education experts tell us that the stages of child

development must not be skipped or interrupted if children are to become fully realized global citizens. It is thus imperative to counter and prevent any subversive and brutal notions and, in the event of natural disasters, to strengthen resilience.

ANAPRODH advocates for children's rights, disaster risk reduction and child-focused strategic advice. Accordingly it recommends:

- the construction of temporary school infrastructure in host areas;
- the provision of school supplies to displaced students;
- psychological support for the treatment of trauma;
- reinforcement of security around educational institutions;
- the promotion of children's right to education in all decision-making bodies, with particular reference to the international instruments on the rights of the child.